

**AMENDMENT / RESPONSE TRANSMITTAL**

Applicant : James Klassen
 App. No. : 10/072,095
 Filed : February 8, 2002
 For : ROTARY POSITIVE
 DISPLACEMENT DEVICE
 Examiner : Thai-Ba Trieu
 Art Unit : 3748

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 28, 2004

(Date)

Rabinder N. Narula, Reg. No. 53,371

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

RECEIVED

NOV 04 2004

TECHNOLOGY CENTER R3700

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

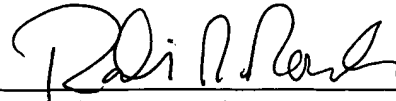
- (X) Amendment in response to *Ex Parte Quayle* Action in 22 pages.
- (X) 8 sheets of drawings.
- (X) The present application qualifies for small entity status under 37 C.F.R. § 1.27.

The fee has been calculated as shown below:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Total Claims	37 - 37 = 0	2202 (\$9)	0 x 9 =	\$0
Independent Claims	4 - 4 = 0	2201 (\$44)	0 x 44 =	\$0
4 Month Extension		2254 (\$765)		\$765
			TOTAL FEE DUE	\$765

- (X) An extension of time is hereby requested by payment of the appropriate fee indicated above.
- (X) A check in the amount of \$765 is enclosed.
- (X) Return prepaid postcard.

- (X) Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



Rabinder N. Narula

Registration No. 53,371

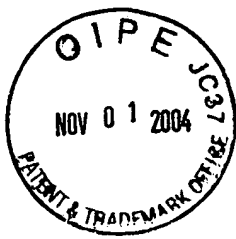
Attorney of Record

Customer No. 20,995

(949) 760-0404

3748 ✓

51



KLASN.011A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James Klassen
Appl. No. : 10/072,095
Filed : February 8, 2002
For : ROTARY POSITIVE
DISPLACEMENT DEVICE
Examiner : Thai-Ba Trieu
Group Art Unit : 3748

RECEIVED

NOV 04 2004

TECHNOLOGY CENTER R3700

AMENDMENT IN RESPONSE TO *EX PARTE QUAYLE* ACTION

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the *Ex parte Quayle* action mailed on April 28, 2004, please reconsider the above-application in light of the following amendments and comments.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 9 of this paper.

Amendments to the Drawings begin on page 20 of this paper. A "Replacement Sheet" for each sheet of drawings being amended can be found in the Appendix.

Remarks/Arguments begin on page 21 of this paper.

11/01/2004 YPOLITE1 00000047 10072095

01 FC:2254

765.00 DP